

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEFFREY MICHAEL ZERBST,

Plaintiff,

No. 16-10876

v.

Magistrate Judge R. Steven Whalen

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER GRANTING ATTORNEY FEES

Plaintiff's Joint Motion for Attorney Fees Pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d)(1)(A) [Doc. #26] is GRANTED.

Plaintiff is awarded an attorney fee of \$5,700.00 under the EAJA.

No later than 14 days from this Order, the Commissioner will determine whether the Plaintiff owes the Government a pre-existing debt. If no such debt is owed, then payment of the EAJA fees will be made directly to Plaintiff's attorney. If the Plaintiff does owe a pre-existing debt, the EAJA fees will be offset by the amount of the debt, with any remainder to be paid to Plaintiff's attorney. *See Cowart v. Commissioner of Soc. Sec.*, 795 Fed.Supp.2d 667, 671-72 (E.D. Mich. 2011).

IT IS SO ORDERED.

s/R. Steven Whalen

R. STEVEN WHALEN

UNITED STATES MAGISTRATE JUDGE

Date: December 15, 2017

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on December 19, 2017, electronically and/or by U.S. mail.

s/Carolyn Ciesla
Case Manager to the Honorable
R. Steven Whalen